

Application No. 10/081,098
Amendment in Response to Office Action dated July 10, 2003
Docket No. 7202-227

REMARKS

The Examiner has rejected claims 12-22 under 35 USC 112, first paragraph for allegedly not providing an enabling disclosure. In response thereto, applicant has cancelled claims 12-22 without prejudice. Claims 1-11 now remain in the application.

The Examiner has objected to the specification as allegedly failing to reference the subject matter of original claims 12-22. In response thereto, Applicant has cancelled claims 12-22 without prejudice and it is believed that the objection to the specification has been obviated.

The Examiner has also rejected claims 1-11 under the judicially created doctrine of obviousness-type double patenting over USP 6,391,920 to Fisch. In response thereto, applicant has enclosed a terminal disclaimer disclaiming the term of any patent issuing hereon to the term of the '920 patent. Applicant believes that this overcomes the double patenting rejection.

In view of the above, applicant believes that the present application is in condition for allowance. Applicant respectfully requests reconsideration and an early favorable action on the merits.

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CONDITIONAL PETITION FOR EXTENSION OF TIME

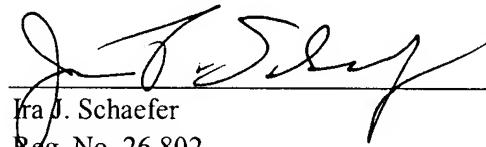
If any extension of time for this filing is required, applicant requests that this be considered a petition therefor. Please charge the required Petition fee to Deposit Account No. 50-0521.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess to our Deposit Account No. 50-0521.

Respectfully submitted,

Date: October 8, 2003


Ira J. Schaefer
Reg. No. 26,802

Clifford Chance US LLP
200 Park Avenue
New York, NY 10166-0153
Telephone: (212) 878-4922